

Honorable Ricardo S. Martinez

UNITED STATES DISTRICT COURT
WESTERN DISTRICT OF WASHINGTON
AT SEATTLE

IBEW 76 HEALTH & WELFARE TRUST OF
SOUTHWEST WASHINGTON,

Plaintiff,

vs.

VICTOR MELTON and JANE DOE MELTON,
husband and wife, and the marital community
comprised thereof,

Defendants.

CAUSE NO.: C07-0879 RSM

ORDER FOR DEFAULT JUDGMENT

Clerk's Action Required

Plaintiff IBEW 76 Health & Welfare Trust of Southwest Washington (the Trust Fund) has moved the Court for Default Judgment against Defendants Victor Melton and Jane Doe Melton, husband and wife, and the marital community comprised thereof (the Employer).

SUMMARY OF JUDGMENT

1. Judgment Creditor: IBEW 76 Health & Welfare Trust of Southwest Washington
2. Judgment Debtors: Victor Melton and Jane Doe Melton, husband and wife, and the marital community comprised thereof

3.	Overpayment of disability benefits:	\$2,877.24
4.	Costs:	\$469.89
5.	Attorney's Fees:	\$1,768.65
6.	Post-Judgment Interest on Delinquent Contributions:	12% per annum
7.	Attorney for Judgment Creditor:	David L. Tuttle, WSBA No. 38728 EKMAN, BOHRER & THULIN, P.S.

Pursuant to Plaintiff Trust Fund's Motion for an entry of Default Judgment against Defendant Employer and the Court having considered the pleadings on file, including the Order of Default entered on August 28, 2007, and otherwise being generally advised, it is hereby

ORDERED that Plaintiff Trust Fund be awarded a Default Judgment against Defendant Employer in the amount \$5,115.78 representing contributions covering the period June 2005 through August 2005 in the amount \$2,877.24, costs in the amount \$469.89, and attorney's fees in the amount \$1,768.65, for a total amount owing of \$5,115.78.

IT IS FURTHER ORDERED that such Default Judgment is deemed a final judgment pursuant to FRCP 54(c) and there is no just reason for delay in entry of such judgment on Plaintiff Trust Fund's claims herein.

IT IS FURTHER ORDERED that this Judgment shall accrue interest on the total unpaid balance of delinquent contributions at the rate of 12% per annum, pursuant to the terms of the Trust Agreements to which Employer is bound.

DATED this _15_ day of October, 2007.



RICARDO S. MARTINEZ
UNITED STATES DISTRICT JUDGE

1 Presented by:

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